

**UNITED STATES DISTRICT COURT  
DISTRICT OF ARIZONA**

Roy and Josie Fisher, et al.,

Plaintiffs,

v.

United States of America,

Plaintiff-Intervenor,

v.

Anita Lohr, et al.,

Defendants,

and

Sidney L. Sutton, et al.,

Defendants-Intervenors,

CV 74-90 TUC DCB  
(Lead Case)

Maria Mendoza, et al.,

Plaintiffs,

United States of America,

Plaintiff-Intervenor,

v.

Tucson Unified School District No. One, et al.,

Defendants.

CV 74-204 TUC DCB  
(Consolidated Case)

## **SPECIAL MASTER’S REPORT AND RECOMMENDATION RE REALLOCATIONS**

On March 20, 2021, the District proposed to reallocate \$5.5 million dollars from budgeted funds not likely to be used because of changes in policies and practices during the current fiscal year. The Special Master and the budget expert have the authority to approve certain reallocations. Of course, these decisions can be overruled by the court.

On April 8, 2021, a meeting was held among the Special Master the budget expert, other members of the implementation committee, and senior TUSD staff members, including two assistant superintendents. Prior to this meeting, the Special Master and the budget expert discussed the District’s proposals with District senior staff.

After considerable discussion, which included the superintendent of schools, the District significantly modified its proposal to align with the suggestions of the Special Master and the budget expert and responded to important objections by the plaintiffs.

The final proposal, which is approved in its entirety by the Special Master and the budget expert, and which is consistent with policies for reallocation of potentially unspent funds, is as follows:

Summer School	\$3,000,000
Enhanced Learning Spaces at Targeted Improvement Magnet Schools	\$1,000,000
Professional Learning Summer 2021	\$300,000
Mini-Buses to Support Extracurricular Activities	\$466,000
Accelerated Technology, Supplies, and Material Purchases	\$544,000
<b>ESTIMATED TOTAL</b>	<b>\$5,310,000.00</b>

There are numerous strategies for improving the achievement of children whose education was undermined by the pandemic. Virtually any effort to significantly accelerate the learning of

1 students will require in-depth teacher professional learning. This is true even if the reduction of  
2 class size and greater time on-task are among the strategies employed.

3 There is a burgeoning literature on alternative ways to better serve students who are most  
4 vulnerable because of the pandemic. One list of such practices that are being incorporated in  
5 many school agendas can be found at [ERStrategies.org](https://www.ERStrategies.org).  
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7 **We recommend that the court act quickly to approve this proposed reallocation for**  
8 **enrichment classes.<sup>1</sup>**

9  
10 Respectfully submitted,

11  
12 /s/  
13 Willis D. Hawley  
14 Special Master

15 Dated: April 29, 2021  
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26 <sup>1</sup> The initial reallocation proposal implied that students would be enrolled in summer  
27 programs on a first come first serve basis. The District will clarify this and will admit all  
28 applicants to summer programs.

**CERTIFICATE OF SERVICE**

I hereby certify that on April 29, 2021, I electronically submitted the foregoing via the CM/ECF Electronic Notification System and transmittal of a Notice of Electronic Filing provided to all parties that have filed a notice of appearance in the District Court Case.

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Andrew H. Marks for  
Dr. Willis D. Hawley,  
Special Master